IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.229 OF 2006
IN
SUIT NO.2878 OF 1997

Nishikant Kashinath Kubal & Ors. ..Plaintiffs

Vs.

Suresh Kashinath Kumbal & Ors. ..Defendants

Mr.P.G.Karande for the plaintiff

Mr.R.V.Govilkar for defendant no.1 to 6

Mr.R.T.Bhagat, S.O. of Court Receiver present

CORAM : S.U.KAMDAR, J
DATED : 30TH JANUARY, 2006

P.C.:

1. In the present case, by an order dt.1.9.05 Court Receiver is appointed as Receiver with direction to take forthwith possession and the appeal therefrom is already been dismissed.

2. It is the case of the plaintif that inspite of receiver being directed to take possession he has not been able to take possession because defendant no.1 to 6 are not co-operating. In that light of the matter, notice of motion is made absolute in terms of prayer clause (a).

3. Receive to take forthwih forcible possession with the help of police. Shivaji Park Police to render all assistance in complying the orders passed by this court within 48 hours. Receiver to submit compliance report thereof. Motion disposed of accordingly.

. Parties to act on an copy of this order duly authenticated by the Court Receiver.